

REMARKS

This Amendment is responsive to the Office Action mailed on August 20, 2009. Claims 25-28, 31-39, 41-46, and 48 are amended. Claims 49 and 50 are new. Claims 25-50 are pending. Claims 26, 27, 29-35, 37, 38, and 40-48 are withdrawn.

Claims 28, 36, and 39 are objected to due to informalities in the claim language. The claims are to overcome these objections, withdrawal of which is respectfully requested.

Claims 25, 28, 36, and 39 are rejected under 35 U.S.C. §102(b) as being anticipated by De Volder (WO 92/05960).

Discussion of Amended Claims

Claims 25-28, 31-39, 41-46, and 48 are amended for clarity and readability.

Claims 28, 36, and 39 are amended to overcome the informality objections raised by the Examiner, withdrawal of which is respectfully requested.

Claim 25 is also amended to clarify that the at least one secondary guide is arranged axially and externally with respect to said pad so as to act on the pad (rather than the prior language "outwardly" which may have been confusing). See, e.g., Applicant's Figure 5 which shows an example embodiment of the secondary guide 26, 27 which is separate from and external to the pad.

Claim 36 is amended to specify that the at least one secondary guide is arranged external to the pad and to specify that the at least one secondary guide buffers differences in effective deposit depth between the individual products to be printed, such that the subject matter of method claim 36 more closely corresponds to that of device claim 25.

New claims 49 and 50 are dependent on claims 25 and 36, respectively and specify that each of the at least one secondary guides comprises a spring arranged around a shaft (see, e.g., Figure 2).

Discussion of De Volder

Claims 25, 28, 36, and 39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by De Volder. This rejection is respectfully traversed. An anticipation rejection requires that each and every element of the claimed invention as set forth in the claim be provided in the cited reference. See *Akamai Technologies Inc. v. Cable & Wireless Internet Services Inc.*, 68 USPQ2d 1186 (CA FC 2003), and cases cited therein. As discussed in detail below, De Volder does not meet the requirements for an anticipation rejection.

De Volder is directed towards a printing tampon 1 with a printing surface 3. The tampon 1 is provided with a reduced stiffness by providing an appropriate weakening in the height of the tampon 1. The weakening is provided by recesses or notches 4 placed on ribs 5 between adjacent sides 2 (page 3, first full para.). In the Figure 9 embodiment of De Volder, a joint between the top part 7 of the tampon 1 and the tampon tip 8 is formed by a coil spring 10, in order to permit angular deformation of the tampon (Page 5, third full para.).

The aim of De Volder is to enable printing on fragile objects which may vary slightly in size.

In contrast, the present invention is directed towards a device and method for the linear pad printing of products with significant variations between them. This ability to print on products having significant variations between them is achieved through the use of Applicant's claimed at least one secondary guide. Applicant's claimed at least one secondary guide is a buffer element for buffering differences in effective deposit depth between individual products to be printed. The at least one secondary guide is arranged axially and externally with respect to said pad so as to act on the pad.

DeVolder teaches a tampon or pad with a lower stiffness. While the low stiffness tampon of De Volder may provide a type of buffering effect, De Volder does not teach or suggest a guide or a guiding effect. To the contrary, in De Volder, the lower stiffness is meant to allow angular deformation of the pad end (See, e.g., page 3 paragraph 3 : "the tampon can be reshaped according to a specific angle ..."; page 3, paragraph 4 "the possible angular deformation . . . is further

increased”, page 4 paragraph 5 “This provides the tampon with a certain angular deformability ...” and other passages). Figure 10 of De Volder shows the pad 1 in different positions of angular deformation. This teaching of De Volder is contrary to Applicant’s claimed invention, which employs a guide which is axially arranged with respect to the pad and external to the pad.

The Examiner apparently equates the spring 10 shown in Figure 9 of De Volder with Applicant’s claimed secondary guide (Office Action, page 3). Applicant respectfully disagrees. As discussed above, the spring 10 shown in Figure 9 of De Volder is part of the pad or tampon 1. In particular, the spring 10 forms a joint between the top part 7 of the tampon 1 and the tampon tip 8 (see, De Volder, page 5, third para. and Figure 9). In contrast, with Applicant’s claimed invention, the at least one secondary guide is arranged axially and externally with respect to said pad so as to act on the pad.

Further, the spring 10 of De Volder does not comprise any type of guide. Rather, the spring 10 is meant to allow rotation and deformation of the tampon tip 8, which implies displacement away from a guiding centreline. Thus, spring 10 of De Volder cannot be considered as a guide and therefore it does not anticipate Applicant’s claimed secondary guide. In contrast to De Volder, Applicant’s secondary guide may comprise, for example, a spring guided by a shaft, as shown for example in Figure 2 (e.g., spring 26 and shaft 27), such that the combination of these two structural elements produces the technical effect of a guidance (e.g., via the shaft) combined with a buffer effect (e.g., via the spring).

Thus, De Volder teaches reduced stiffness of the pad or tampon, in order to allow “slight” differences in size and position of objects being printed on. The present application solves the problem of how to permit printing on objects having “significant” differences. In order to solve such a problem, reducing pad stiffness helps but alone is not sufficient. More vertical movement is needed in such cases, which would in turn require even more reduced stiffness of the pad, such that the correct positioning of the pad would no longer be possible. The axially arranged secondary guide of the present invention solves this problem and guarantees a correct positioning of the pad even though it has a significant vertical flexibility. De Volder does not address the problem of

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significant differences in size and position of objects being printed, and does not provide the advantages of the device and method claimed by Applicant.

Accordingly, De Volder does not disclose or remotely suggest at least one secondary guide as a buffer element for buffering differences in effective deposit depth between individual products to be printed, where the at least one secondary guide is arranged axially and externally with respect to said pad so as to act on the pad, as claimed by Applicant.

The foregoing arguments apply equally to independent claims 25 and 36, which contain analogous subject matter.

With regard to Applicant's claim 28, it is respectfully submitted that De Volder does not disclose or suggest a piece holder that is provided with apertures. DeVolder does show in Figure 10 a container 11 as a piece holder. However, no apertures are shown in container 11 of De Volder. Further, as clarified in amended claim 28, with Applicant's claimed invention the products can be printed through the apertures made in the piece holder.

As De Volder does not disclose each and every element of the invention as claimed, the rejections under 35 U.S.C. § 102(b) are believed to be improper, and withdrawal of the rejections is respectfully requested. See, Akamai Technologies Inc., supra.

Applicants respectfully submit that the present invention is not anticipated by and would not have been obvious to one skilled in the art in view of De Volder, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the amended claims and the foregoing discussion. Applicant's silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 102(b) is therefore respectfully requested.

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Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicant's undersigned attorney.

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Respectfully submitted,



Douglas M. McAllister
Attorney for Applicant(s)
Registration No. 37,886
Lipsitz & McAllister, LLC
755 Main Street
Monroe, CT 06468
(203) 459-0200